IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO. 707 OF 1992

Namdeo Kalya Jitekar ..Appellant

versus

The Special Land Acquisition

Officer, Panvel ..Respondents

Mr. S. G. Surana for the Appellant.

Mr. B. R. Patil, Acting G.P. for the Respondents.

CORAM : D. G. DESHPANDE,J.

DATE : 31ST MARCH, 2005

ORAL ORDER :

1. Heard learned counsel for the appellant and learned AGP for the Respondents - State.

2. This appeal is filed by the original claimant challenging the order of the Reference Court awarding him only Rs.7/- per sq. meter as compensation.

3. The land was acquired for New Bombay Project. It is from village Dapoli. Group of appeals from Village Dapoli for the New Bombay

Project were the subject matter of a decision of this court, wherein both the Advocates agreed that this court awarded compensation at Rs.10/- per sq. meter as per the judgment of **Division Bench (Patankar and Kakade, JJ.) in First Appeal No. 462 of 1990 and companion appeals dated 18.7.2001.** Therefore in view of that judgment, this appeal is required to be allowed. Hence, Order:

ORDER

. Appeal is partly allowed.

. Order of the Reference Court is modified. The claimant - appellant will be entitled to compensation at the rate of Rs.10/- per sq. meter.

31.3.2005 (D.G. DESHPANDE, J.)